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09/666,804	09/21/2000	Douglas E. Trent	P56103C	8933

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EXAMINER

BANGACHON, WILLIAM L

ART UNIT	PAPER NUMBER
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2635

DATE MAILED: 07/13/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/666,804

Applicant(s)

TRENT ET AL.

Examiner

William Bangachon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Oath/Declaration***

1. A new oath or declaration filed identifying this application, by application number and filing date which identifies the correct citizenship of Herman Sterzinger is in compliance with 37 CFR 1.67(a) and therefore the objection to the oath or declaration is withdrawn.

### ***Specification***

2. Objection to the specification as failing to provide proper antecedent basis for the claimed subject matter is withdrawn.

3. The amendment filed is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material, which is not supported by the original disclosure, is as follows: "a timed scheme for generation of data signals" as claimed in claim 23 (page 14).

Applicant is required to cancel the new matter in the reply to this Office Action.

### ***Response to Arguments***

4. Applicant's arguments filed 4/23/04 have been fully considered but they are not persuasive.

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5. Applicant argues that **there is no prior application (page 24, lines 1-5) and that the applicant is citing prior art under the “Claim of Priority” section of the specification** (Specification, pg. 1, 1<sup>st</sup> paragraph). Further, applicant argues that the Disclosure Document under the “Claim of Priority” section is simply the evidence of prior invention by the applicant and that there is no examination or issue of a Disclosure Document (page 24, lines 7-11).

The Examiner was confused because a) whether the applicant was actually claiming priority (***the heading is clearly stating a claim of priority***). i.e. Where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). If applicant is intending for the Disclosure Document under the “**Claim of Priority**” section to be simply the evidence of prior invention by the applicant without claiming priority, as argued, then the heading should state so. i.e. the “**Claim of Priority**” heading should be changed to “**Disclosure Document**”.

And b) the Disclosure Document No. 456,575 cited under the “**Claim of Priority**” heading that was filed at the USPTO on 5/19/99, ***is not on file***. There were two IDS filed which the Examiner considered in the last Office action.

However, none of the IDS filed match the filing date (6/6/02 & 1/21/03) of the Disclosure Document (***There is no Disclosure Document No. 456,575 on file***).

Therefore, the cited Disclosure Document has not been considered.

The Disclosure Document will be preserved by the USPTO for two years after its receipt. **It will then be destroyed unless it is referred to in a separate letter in a related patent application filed within the two-year period. The separate letter filed in the related patent application must identify not only the patent application, but also the Disclosure Document by its title, number, and date of receipt in the USPTO.** Acknowledgment of such letters will be made in the next official communication or in a separate letter from the USPTO. MPEP 1706.

6. In response to applicant's argument that **the Examiner has incorrectly asserted that Porter '053' "teaches a container manager" that contains the exact language of Applicant's claim 1 and that the language of Applicant's claim 1 is absent in Porter** (pg. 25, lines 8-10), a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. ***If the prior art structure is capable of performing the intended use, then it meets the claim.*** In a claim drawn to a process of making, the intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963). In this case, the storage device (10) of Porter, as shown in figures 2-4, is clearly a container manager for containing goods and/or food {Porter, col. 2, lines 49-53, lines 61-67; col. 5, lines 5-25}. Therefore, the **exact language** argument of applicant is moot.

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The Examiner gladly provides an explanation in response to applicant's request for clarification as to which portion of Porter teaches a) **"said control state (stage) being mounted entirely within and being completely encased by said container during said complete engagement** (pg. 27, 1<sup>st</sup> paragraph; pg. 29, last paragraph; pg. 31, 1<sup>st</sup> paragraph; pg. 32, 1<sup>st</sup> paragraph)" of **"a closed interior while said lid is in complete engagement with said housing"** and b) **"conduction of transmission of data signals between said closed interior and an environment external to said housing"** (page 25, lines 12-15). With regards to the first request a), as shown in figure 3, the container 10 comprises a housing with a lock operator 24 mounted inside of the front door 18 (lid). When the front door 18 (lid) is closed (complete engagement), the lock operator housing 24 is not shown (figure 2). This clearly meant that when the front door (lid) is closed, the lock operator 24 is entirely within and being encased by the container (lid), as claimed. The lock operator in this case is the control stage because the lock operator, coupled with the keypad and controller {Porter, col. 2, lines 30-36}, controls the locking and unlocking of the front door (lid) {Porter, col. 2, lines 25-29}. The lock operator is therefore equivalent to a control stage in the broadest interpretation of the claimed control stage.

With regards to applicant's second request b), **"conduction of transmission of data signals between said closed interior and an environment external to said housing"** can be found on col. 7, lines 1-45 wherein an environment external to said housing such as the transmitting devices 62, 64 of remote communication apparatuses 54, 56 communicates with

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the controller 46. If the keycode matches that of the external apparatus, the lock operator unlocks the container {Porter, col. 7, lines 8-12}.

In response to applicant's argument that Porter does not disclose the term "**port**" (pg. 26, lines 5-7; pg. 28, 4<sup>th</sup> paragraph; pg. 29, 1<sup>st</sup> paragraph), a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In a claim drawn to a process of making, the intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963). In this case, figure 5 of Porter shows a phone/modem 48. Figures 2-4 shows a conventional telephone cable 52. Since the cable 52 uses a conventional phone line, a communication interface called a phone jack (port) in the phone/modem of Porter is inherent (Porter, column 6, lines 16-26).

7. In response to applicant's argument that there is no suggestion to combine the references (pg. 30, 2<sup>nd</sup> paragraph; pg. 32, 1<sup>st</sup> paragraph), the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the

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art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). i.e. applicant argues that the Examiner's discussion of "different frequencies" is irrelevant and therefore the teaching of Bates is irrelevant, and therefore there is no suggestion to combine Bates with Porter. However, as pointed out by the Examiner above, Porter teaches of a "port" as claimed. Therefore the teaching of Bates with regards to different frequencies is combinable with the system of Porter as shown in the claim rejection (claims 33 and 34).

8. Applicant's arguments with respect to claims 23-28 have been considered but are moot in view of the new ground(s) of rejection.

Based on above response, rejection to claims 1-49 is maintained in this Office Action.

***Claim Rejections - 35 USC § 112***

9. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10. Claims 23-28 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the



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time the application was filed, had possession of the claimed invention. Independent claim 23 recites **“a timed scheme for generation of data signals”** (page 24, line 13) which is not originally disclosed. Claims 24-28 are dependent claims and therefore rejected for the same reasons.

### ***Claim Rejections - 35 USC § 102***

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

### ***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.

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3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

14. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

15. Claims 1-6, 10-18, 22, and 29-32 are rejected under 35 U.S.C. 102(b) as being anticipated by US 5,774,053 (Porter).

In claim 1, Porter teaches of a container manager (as shown in figures 2-4), comprising:

a housing (14) comprised of a plurality of sidewalls bearing a removable lid (18, 20), forming a container (10) having a closed interior while said lid (18, 20) is in complete engagement with said housing (figure 1), and providing an open interior (figure 2) able to removably receive items within said open interior

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while said lid is dislodged from said complete engagement {col. 3, lines 55-60; col. 4, lines 1-9, lines 22-30};

a port (48) borne by said housing and exposed through said housing to accommodate conduction of transmission of data signals between said closed interior and an environment external to said housing {col. 6, lines 16-28};

a control stage (46, 24) comprised of a memory storing information specific to said container {col. 5, lines 31-45; col. 2, lines 30-35}, **said control stage being mounted entirely within and being completely encased by said container during said complete engagement** (col. 4, lines 11-21), and being operationally coupled to provide communication with said interior via said port (col. 5, lines 25-31; paragraph bridging cols. 6 and 7), and generating a control signal in dependence upon disposition of said port relative to a source of said data signals (col. 6, lines 47-51), in dependence upon disposition of said container within a scheme for generation of said data signals (col. 7, lines 13-23), and in response to occurrence of a coincidence between a data key received among said data signals via said port and a data sequence obtained by said control stage in dependence upon said information stored within said memory {col. 6, lines 6-15}; and

a moveable latch disposed to engage said lid and hinder removal of said lid from said complete engagement, and to respond to said control signal by releasing said lid from said complete engagement {col. 4, lines 22-30; col. 6, lines 10-12}.

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In claim 2, Porter teaches of a phone/modem (48) mounted within said housing providing said port {col. 6, lines 18-26}. Clearly, a socket/phone jack is available for connection to a network.

In claim 3, the container manager of claim 1, further comprised of an infrared receiver mounted within said housing providing said port {col. 4, line 19}.

In claim 4, the container manager of claim 1, further comprised of an antenna mounted within said housing providing said port {fig. 3, 16; col. 6, lines 26-28}.

In claim 5, the container manager of claim 1, further comprised of  
a microprocessor based host computer (58, 60) operationally coupled to  
said controller via said port, generating said data key {col. 7, lines 1-23}; and  
a data cable coupling said host computer to said port {col. 6, lines 24-26}.

In claim 6, the container manager of claim 1, further comprised of  
a microprocessor based host computer (58, 60) operationally coupled to  
said controller via said port, generating said data key; and  
a local area network coupling said host computer to said port {col. 6, lines 18-26}.

In claim 10, the container manager of claim 1, further comprised of:

said controller generating an alarm signal in response to an unauthorized interruption of said communication via said port; and

an alarm driven by said controller to broadcast an indication of said unauthorized interruption in response to said alarm signal {col. 6, lines 55-64}. In this case, "the alarm bell is activated when the enclosure is forced open or if a person tampers with the container manager (10) without entering a valid code" (analogous to unauthorized interruption). Clearly, there is a continuous communication within the system so that if the container manager is forced open or tampered with, then this communication is interrupted. And tampering with this communication is analogous to unauthorized interruption.

In claim 11, the container manager of claim 1, further comprised of  
a microprocessor based host computer operationally coupled to said controller via said port, periodically making a determination of whether said an unauthorized interruption of said communication has occurred {col. 7, lines 24-45}; and

an alarm driven by said host computer to broadcast an indication of said unauthorized interruption in dependence upon said determination {col. 7, lines 30-33}.

In claim 12, the container manager of claim 1, further comprised of  
said controller generating an alarm signal in response to an unauthorized interruption of said communication via said port; a first alarm driven by said host

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computer to broadcast an indication of said unauthorized interruption in response to said alarm signal; a microprocessor based host computer operationally coupled to said controller via said port, periodically making a determination of whether said an unauthorized interruption of said communication has occurred; and a second alarm driven by said host computer to broadcast an indication of said unauthorized interruption in dependence upon said determination {col. 6, lines 55-64}.

Claims 13 and 22 recites the combination of claims 1 and 10, claims 14-21 recites the limitations of claims 2-9, and therefore rejected for the same reasons.

Claims 29 and 30 recites the combination of claims 1 and 10, claims 31-32 recites the limitations of claims 11-12, and therefore rejected for the same reasons.

16. Claims 7-9, 19-21, and 23-28, are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,774,053 (Porter).

In claim 7, the container manager of claim 1, further comprised of.

a microprocessor based host computer (58, 60) operationally coupled to said controller via said port, generating said data key; said port comprising a first antenna (48) mounted on one of said sidewalls (figure 3, 16); a data transceiver connecting said first antenna and said controller; and a second antenna (62, 64)

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driven by said host computer, operationally connecting said host computer to said first antenna {col. 6, lines 26-28}.

The communication apparatuses of the host computer (58, 60) are similar to the communication apparatus (16) of the container {col. 7, lines 4-7}. Obviously, whatever communication apparatus is used in the container, the host computer will have the same communication apparatus for compatibility, to one of ordinary skill in the art.

Claims 8 and 9 recites the limitation of claim 3 further comprising of a microprocessor based host computer (58, 60) operationally coupled to said controller via said port, generating said data key. And although Porter does not disclose expressly an infrared transmitter (62, 64) driven by said host computer to broadcast an infrared signal corresponding to said data key, these claim limitations would have been obvious in the system of Porter, to one of ordinary skill in the art. Porter teaches of an infrared receiver mounted within said housing coupling the host computer. Obviously, the Tx/Rx (62, 64) would have an infrared transmitter matching the infrared receiver at the housing. And obviously, for bi-directional communication, the Tx/Rx (48) mounted at said housing would match the Tx/Rx at the host computer. Therefore, it would have been obvious to one of ordinary skill in the art to have matching infrared transmitter/receivers (62, 64) at the host computer of Porter to facilitate communication between the container manager and host computer.

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Claims 19-21 and 26-28 recites the limitations of claims 7-9 and therefore rejected for the same reasons.

Claim 23 recites the limitations of claim 1 and therefore rejected for the same reasons further comprising a microprocessor based host computer (46, 58, 60) including a keyboard (26) and monitor (30), as shown in figure 5. Porter does not disclose expressly "a **timed scheme** for generation of said data signals". However, the notification scheme of Porter {col. 7, lines 31-34; lines 59-64} is obviously a timed scheme as claimed, because these gives a customer a certain time when goods are available for pick up, to one of ordinary skill in the art.

In claim 24, the container manager of claim 23, further comprised of a data cable (52) coupling said host computer to said port {col. 6, lines 25-26}.

In claim 25, the container manager of claim 24, further comprised of a local area network coupling said host computer to said port {col. 6, lines 22-23}.

17. Claims 33-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,774,053 (Porter) in view of US 6,057,779 (Bates).

In claims 33 and 34, Porter does not disclose expressly "first and second wavelength signals". In this case, Bates is relied upon to teach frequency hopping and band selection comprising a first and second wavelength as claimed



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{Bates, col. 9, lines 34-49; col. 11, lines 13-14}. Bates teaches that operating in different frequencies is desirable in that the data signals can be distinguished from other users of the system and other signals operating at the same frequency {Bates, col. 7, lines 25-32}. Clearly, these features are advantageous in the system of Porter because this will ensure that the data signals intended for the Porter system will be received. The systems of Porter and Bates are analogous art because they are from same field of endeavor, access to electronic containers. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have a first and second wavelength signals in the system of Porter, as taught by Bates, because the data signals intended for the system of Porter will be received.

Claims 35-41 and 47, recites the limitations of claim 1, further comprising of "a source of an input signal representing a first class of information, mounted upon and borne by said housing". Porter does not disclose this feature. In this case, Bates is relied upon to teach such features in the form of a GPS receiver (36) for determining the position of the receiver mounted in a transportable container {Bates, col. 4, lines 46-63}. Bates teaches that the desired destination of the receiver is configurable as shown in the flowchart of figure 7 {col. 5, lines 30-35}. Once configured, the container can only be opened if the destination of the receiver matches that of the actual location of the receiver determined by the GPS system {Bates, col. 1, lines 39-46}. Bates teaches that these features are desirable because it can prevent theft of container cargo {Bates, col. 1, lines 23-

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31}. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have a GPS receiver for determining the actual location of the container of Porter, and only allowing the container to be opened if the desired location of the container matches that of the actual location of the container, to prevent theft to the contents of the container, as evidenced by Bates.

In claim 43, the container manager of claim 36, further comprised of a microprocessor based host computer operationally coupled to said controller via said port, generating said data signals {Bates, col. 6, lines 59-60}.

In claim 44, the container manager of claim 43, further comprised of said host computer comprising a cellular telephone bearing a graphical user interface {Bates, col. 6, lines 6-8}.

Claim 45 recites the limitations of claim 6 and therefore rejected for the same reasons {Porter, col. 7, lines 51-56}.

In claim 46, the container manager of claim 36, further comprised of said data signals comprising one of an e-mail packet and an attachment to an e-mail message {Porter, col. 7, lines 51-56}.

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Claim 48 recites the limitations of claim 6 and therefore rejected for the same reasons.

18. Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,774,053 (Porter) in view of US 6,057,779 (Bates), and further in view of US 5,245,329 (Gokcebay).

In claim 49, Porter in view of Bates does not disclose "a second class of information comprising **biometric data**". Gokcebay teach an access control system combining safes or safety deposit box with user authentication involving biometric features such as a fingerprint of the intended keyholder {abstract}. Obviously, the use of fingerprint for authentication is desirable in the system of Porter, in that there is no need to carry keys or remote controllers, to one of ordinary skill in the art. The systems of Porter and Gokcebay are analogous art because they are from same problem solving area, access control systems. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have used biometric data, such as a fingerprint in the system of Porter, as evidenced by Gokcebay, because the use of fingerprint for authentication eliminates the need to carry keys or remote controllers for accessing electronic locks.

### ***Conclusion***

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**.

See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

***Examiner Contact Information***

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Bangachon whose telephone number is 703-305-2701. The examiner can normally be reached on 4/4/10.

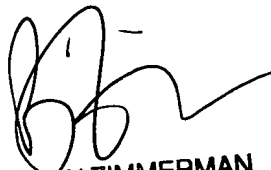
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 703-305-4704. The fax phone numbers for the organization where this application or proceeding is assigned is 703-872-9314 for regular and After Final formal communications. The examiner's fax number is 703-746-6071 for informal communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

William L Bangachon  
Examiner  
Art Unit 2635

July 6, 2004



BRIAN ZIMMERMAN  
PRIMARY EXAMINER